IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 12351 of 2005

Between:

P. Nirmala Jyothi, W/o. N.B. Vijaya Kumar,

Civil Assistant Surgeon, Tutor in Community Pediatrics,

King George Hospital, Visakhapatnam.

..... PETITIONER

AND

1 The Registrar, NTR University of Health Sciences, Vijayawada. 2 The Vice Chancellor, NTR University of Health Science,
Vijayawada.
3 The Registrar, NTR University of Health Sciences, Vijayawada.
4 Sasankh, Deputy Registrar, NTR University of Health Sciences,
Vijayawada.
5 Medical Council of India, Aiwan-e-Ghaleb Marg, Kotla Road,
Opp: Mathasundari College (Women), New Delhi,-110002.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus call for the records and directing the respondents No.1 and 2 to allot one seat MDDVL in Andhra Medical College and to pass such other order or orders.

Counsel for the Petitioner: MR.V.RAJA MANOHAR

Counsel for the Respondent Nos.1to4: MR.D.V.NAGARJUNA BABU

Counsel for the Respondent No.5: Mr.S. NIRANJAN REDDY

The Court at the stage of admission made the following ORDER:

This writ petition is filed by the petitioner aggrieved by the non-selection and allotment of seat to her in M.D. Dermatology and Venerialogy, which is available in Andhra Medical College for Scheduled Caste candidate.

2. According to the petitioner she is working as a Civil Assistant Surgeon and tutor in Community Pediatrics in King George Hospital and Andhra Medical College, Visakhapatnam. She appeared for the Entrance Test for the P.G. Medical Courses conducted by the first respondent for the year 2005-2006. She was awarded a rank of 1607 and also appeared for the first counselling on 17.03.2005. Though the first counseling was cancelled, she did not appear for the second counseling. But, again, she appeared for the third counseling that was conducted in the month of May 2005. It is stated that there was a display on the notice board that two seats in M.D. Dermatology & Venerialogy are available out of which, one seat is for service candidate and another for non-service candidate. When the petitioner appeared for the counselling, the Officers incharge of counseling particularly respondent No.4 informed her that one seat in MD Dermatology and Veneriology is available in Andhra Medical College for Scheduled Caste non-service candidates. According to the petitioner, as the authorities at the counseling did not provide proper information to her, she could not opt for the seat available. Hence, the present writ petition.

3. In the affidavit it is also stated that the petitioner is already having a Diploma and is interested to do a Degree Course and therefore sought for a direction for

admission into Degree.

4. At the time of hearing, the learned Standing Counsel appearing for the University stated that the petitioner obtained a Rank of 1607 while the last rank holder, who was allotted a seat in Degree course is 627. Therefore, the question of allotting a seat to the petitioner, who secured lower rank than the last allotted rank holder, does not arise. He further stated that the counseling and admissions have already been closed. Therefore, there is no merit in the present writ petition.

5. Heard both sides and considered the material available on record.

6. In view of the fact that the last candidate, who was allotted a seat obtained a rank of 627, the petitioner cannot have any grievance against such person or other candidates, who secured even better rank that the last rank holder, who got admission.

7. Under the above circumstances, the writ petition is devoid of merit and the same is accordingly dismissed at the admission stage.

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S. Ananda Reddy, J

Date: 20.06.2005

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To

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